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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/888, 857	05/27/92	KWAK	H P53521

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FRAHM, E EXAMINER

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ART UNIT	PAPER NUMBER
2108	8

DATE MAILED: 01/24/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on 1-8-93 This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), 30 days from the date of this letter.

Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449. 4. Notice of Informal Patent Application, Form PTO-152
5. Information on How to Effect Drawing Changes, PTO-1474. 6.

Part II SUMMARY OF ACTION

1. Claims 1-33 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims _____ are rejected.

5. Claims 1-33 are objected to.

6. Claims 1-33 are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed 1-8-93, has been approved; disapproved (see explanation).

12. Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-8, drawn to a video printer, classified in Class 358, subclass 296.

Group II. Claims 9-17 and 23-33, drawn to a color video printer, classified in Class 346, subclass 157.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations. (M.P.E.P. § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the video printer of Group I does not require the color signal processing and luminance/chrominance processing as required by Groups II and III. The subcombination has separate utility such as color printing and color image reproduction.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. Applicant is reminded of the proper language and format of an Abstract of the Disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said", should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The claim language "means" in lines 4 and 6 is improper.

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

6. The drawings are objected to because figure 3 should be labeled "prior art" in accordance with its description in the specification as being conventional in the video printing art. Correction is required.

7. The disclosure is objected to because of the following informalities: the description of figures 1-3 of a conventional color video printer at pages 3-8 of the specification (detailed description of the invention section) should be located in the "Background of the Invention" section; and claim 1 is improperly paragraphed. Appropriate correction is required.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Frahm whose telephone number is (703) 308-1317.

LH

George H. Miller Jr.

GEORGE H. MILLER, JR.
SENIOR PRIMARY EXAMINER
ART UNIT 218

EF

January 14, 1994